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Report on Maine Construction Wage Rates 2003/ 2004

Maine Department of Labor

Maine Bureau of Labor Standards

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Maine Department of Labor

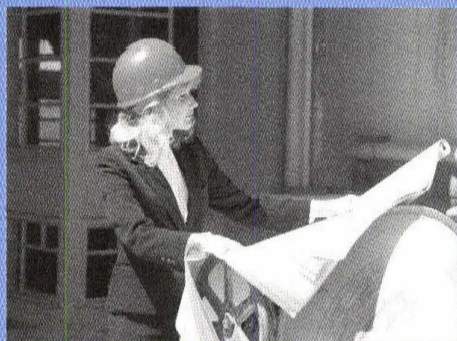
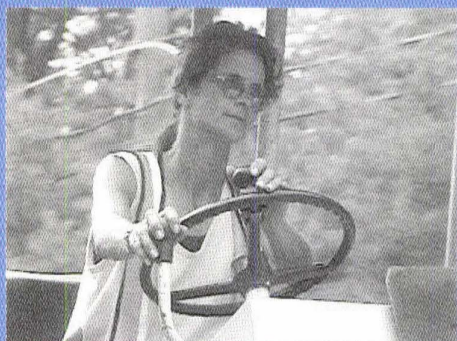
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MAINE
DEPARTMENT OF
LABOR
Labor Standards



Report on
Maine
Construction
Wage Rates
2003/2004

2003 Construction Wage Highlights

The average hourly wage and benefit rates for 2003 were:

- ✓ \$14.52 for industry-wide—a 3.6% increase from 2002—plus \$2.68 benefit rate.
- ✓ \$14.58 for building construction—a 5.8% increase from 2002—plus \$2.30 benefit rate.
- ✓ \$14.65 for highway and heavy construction—a 1.1% increase from 2002—plus \$3.29 benefit rate.
- ✓ \$14.46 for special trades—a 4.2% increase from 2002—plus \$2.58 benefit rate.

The 2003 survey contacted 3,631 construction firms.

- ✓ 3,104 survey forms were returned. Of these,
 - 859 forms covering 14,060 trades workers (42.6% of total construction company employees*) were used to determine wage rates.
 - 2,186 forms were from companies with less than 5 trades workers, which by law cannot be used for determining the prevailing wages.
 - 59 companies were eliminated for various reasons.
- ✓ 568 survey forms were not returned or were received too late to include.

The Bureau of Labor Standards conducted 28 construction project inspections/ investigations in 2003. As a result of those inspections,

- ✓ 2 companies paid a total of \$27,852.12 in back pay to 72 employees.
- ✓ 1 company was advised to post the prevailing wages rates.
- ✓ 17 companies were found to be in compliance with the Labor Laws.

***Source of September 2003 employment data:** Maine Department of Labor, Division of Labor Market Information Services, Nonfarm Wage and Salary Employment.



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April 2004

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Survey Details

Process

Each year the Bureau of Labor Standards (BLS) mails the construction wage rate survey form to construction companies who will be working in the State of Maine during the second and third weeks of September. The company names and addresses are obtained from the Department of Labor Unemployment Tax Unit. The survey forms are mailed by the first week of September. As the wage and benefit data is received, it is entered into the computer by type of construction, by occupation, and by the county where the work was performed. Data collection ends December 1 to begin tabulating the wage and benefit rates. When the survey period ends, the data is compiled using the same criteria by which it was entered. The median wage and benefit rates are selected for each occupation that has ten or more workers listed. (The law states there must be at least ten employees in an occupation to set a rate.) The median rate determines the Prevailing Wage Rate for State-funded construction projects scheduled for the following calendar year. Wage determinations are issued within thirty days of receipt of a written determination request.

Section II: Summary of the 2003 Survey

Survey Results

The data received on the survey is reported in multiple formats. The wages reported in this section are for statistical comparison and analytical purposes only. Section IV references the data for the resulting prevailing wage rates.

Trade Classifications Not Used

The law states that there must be at least ten workers statewide in a trade classification to set a wage and benefit rate. There were 49 trade classifications covering 283 employees that did not have wages set because there were fewer than ten employees reported.

The rate set used for a particular project is governed by factors relating to the project. In most cases it is one of the 64 "standard" rate sets, but in others it is not. Project contractors must have a rate set specific to their project. Project specific wage rates are available from the agency who let the project out for bid or, if applicable, from the general contractor.

Response Rate

Of the 3,631 surveys mailed, 3,104 were returned, for a response rate of 85.5%. The law states that data is to be collected from employers who have five or more trade workers during the second and third weeks of September. The wages were set based on the 859 surveys from companies with five or more trade workers. This represented 14,060 reportable wages. There were 2,186 forms returned from companies with less than five trade workers. Fifty-nine survey forms were eliminated for various reasons, such as being out of business or no longer qualifying as construction.

Industry Wage Changes

The overall average wage for construction in 2003 was 3.6% higher than in 2002, and 6.8% higher than in 2001. The largest change was for the Building trades workers with a 5.8% increase in the average hourly wage, from \$13.78 in 2002 to \$14.58 in 2003. The Special Trades average wage increased 4.2%, from \$13.88 in 2002 to \$14.46 in 2003. Highway & Heavy trades workers average

wage increased 1.1%, from \$14.49 in 2002 to \$14.46 in 2003. (Wages used in the percentages are exclusive of benefit amounts.) (See Table 1.)

Table 1

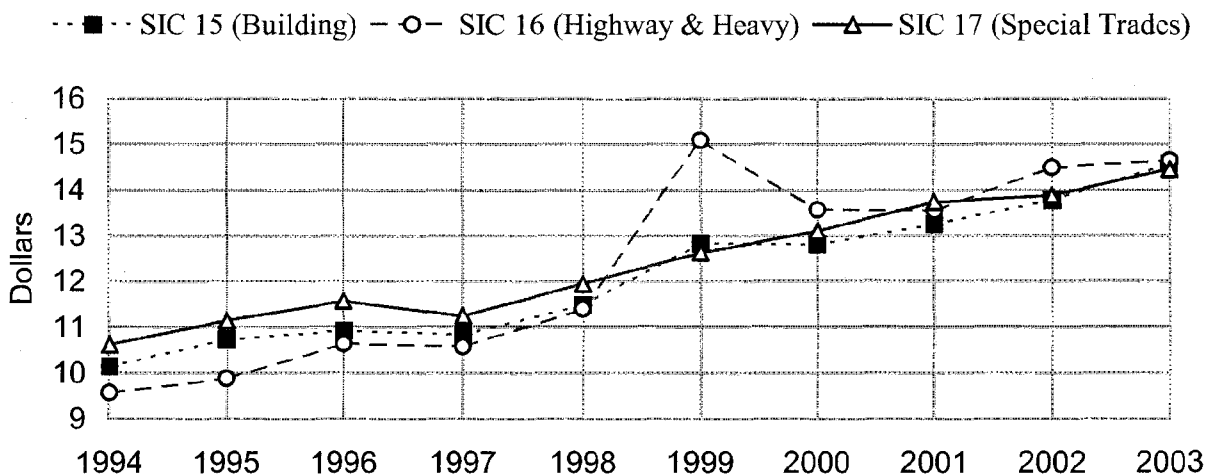
**Average Hourly Wage and Benefit Rates
by Standard Industrial Classification, 2001-2003**

Construction Industry	Average Hourly Wage & Benefit					
	2001		2002		2003	
	Wage	Benefit	Wage	Benefit	Wage	Benefit
Industry-Wide	\$13.59	\$2.45	\$14.01	\$2.35	\$14.52	\$2.68
Building (SIC 15)	13.25	1.70	13.78	1.84	14.58	2.30
Highway & Heavy (SIC 16)	13.55	3.15	14.49	3.03	14.65	3.29
Special Trades (SIC 17)	13.74	2.46	13.88	2.25	14.46	2.58

Figure 1 shows the wage trend for the three major types of construction by standard industrial classification (SIC) for the past ten years. Wages for Building (SIC 15) construction increased in 2003 by 5.8% to \$14.58 from \$13.78 in 2002. Wages for Special Contractors (SIC 17) have continued to increase each year since 1994, except for a slight drop in 1997, with an increase in 2003 by 4.2% to \$14.46 from \$13.88 in 2002. Highway and Heavy (SIC 16) construction increased in 2003 by 1.1% to \$14.65 from \$14.49 in 2002. All three categories have substantially higher rates in 2003 than in 1994. From 1994 to 2003, Building Construction wage rates increased 43.8%, Highway & Heavy wage rates increased 53.1%, and Special Trades wage rates increased 36.3%.

Figure 1

**Average Hourly Wage Rates
by Standard Industrial Classification, 1994-2003**



Section III: Prevailing Wage Rates for 2004

The wage and benefit rates for 2004 were set by county for the four types of construction (Building 1, Building 2, Highway & Earthwork, and Heavy & Bridge), resulting in 64 rate sets for 2004. The rate sets may be found at the following web site: www.Maine.gov/labor/blsmain.htm (select Construction Wage Rates.) If you are unable to access the information via the web site, contact this office at the numbers listed on the back of the title page.

The wages posted on the web site are for reference only and are not meant to substitute for project-specific, formal rate determinations. An official Prevailing Wage Rate Determination will specify a project title and location.

Section IV: Summary of Prevailing Wage Rate Determinations for 2003

Determination Details

Determination Requirements

Each construction project over \$10,000 (\$50,000 as of September 12, 2003) funded with State money, in whole or in part, is required to have a determination attached to the bid document. The determination lists the minimum hourly wages and benefits the construction workers are to receive while working on that particular project. See Appendix 2 for a sample wage determination. An official determination must be posted at the work site where the wages apply. When an investigation is conducted, based on random selection and by complaint, the investigator checks for the posting of the determination as well as other labor violations.

Determinations Issued

Determinations are issued in accordance with the type of construction involved and by the county where the construction will be done. Determinations may be issued for four types of construction for each of the 16 counties, as explained in Section I, "Type of Construction" and "Locality."

Figure 2 tracks the number of determinations issued from 1994 through 2003.

Figure 2

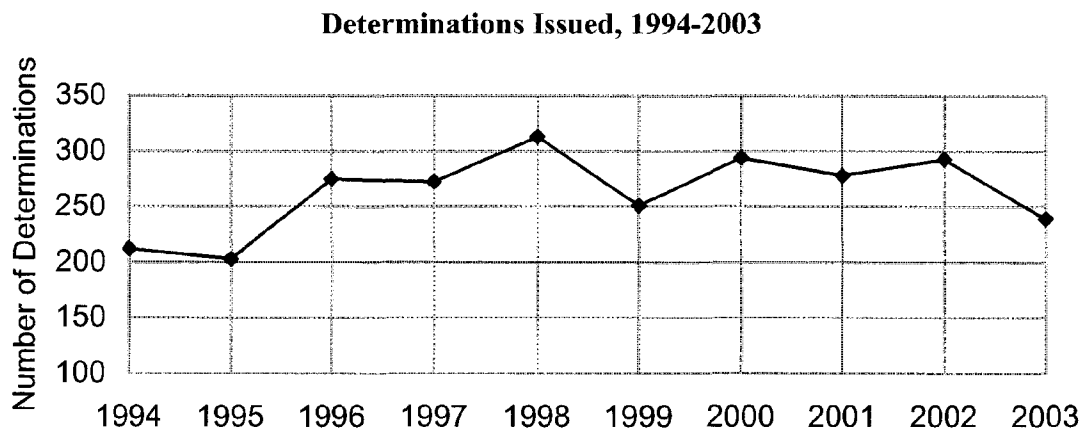


Table 2 lists the number of wage determinations issued for each type of construction by county for 2003.

Table 2

**Number of Determinations Issued for 2003
County by Major Construction Type**

County	Building 2	Highway	Heavy & Bridge	Total by County
Androscoggin	2	3	1	6
Aroostook	9	6	0	15
Cumberland	29	1	6	36
Franklin	5	0	0	5
Hancock	5	4	5	14
Kennebec	30	2	4	36
Knox	1	1	1	3
Lincoln	3	2	2	7
Oxford	1	1	1	3
Penobscot	45	10	2	57
Piscataquis	4	2	0	6
Sagadahoc	0	1	2	3
Somerset	0	1	1	2
Waldo	0	1	3	4
Washington	5	4	3	12
York	2	7	7	16
Combined Areas	3	8	3	14
Total Determinations Issued for 2003	140	56	43	239

Note: There were no determinations issued for Building 1 for the year 2003.

The three counties with the most determinations issued were Cumberland (36), Kennebec (36) and Penobscot (57). The State of Maine Bureau of General Services requested 15 of the determinations issued for Kennebec County. The University of Maine requested 14 of those issued for Kennebec County and 49 of those issued for Penobscot County.

Section V: Enforcement Activities

Each Wage & Hour Inspector is assigned prevailing wage inspections on construction projects in his or her respective area. Inspectors check for compliance with the Prevailing Wage Law (wages posted and correct wages being paid) as well as other labor laws.

Wage investigations are done by the Planning and Research Associate upon receipt of an employee complaint.

2003

Wage and Hour Inspectors and the Construction Wage Specialist conducted a total of 28 inspections/investigations in 2003. Of those inspected,

- ♦ Five were by complaint filed by employees;
- ♦ Twenty-three were assigned randomly to the Wage and Hour Inspectors;

As a result of those 28 inspections,

- ♦ Ten companies paid a total of \$27,852.12 in back wages to 72 employees;
- ♦ One company was cited for a wage poster violation and advised to post the prevailing wage rates;
- ♦ Seventeen companies were found to be in compliance with the Labor Laws (which includes the prevailing wage law);

Appendix 1

Hourly Wage and Benefit Rates by Construction Type and by Trade, Maine, 2003

The wages listed in Appendix 1 are a result of the 2003 survey. Although the median rate is included for each type of construction, it may not match the median rate reported for any of the counties because the following wages are statewide rates. The statewide rates are for statistical use only and are not intended to be used for wage determination purposes. See Section IV for Prevailing Wage Rate information.

Following is a listing of the occupations that had wages set for the 2003 Prevailing Wage. Each occupation has the number of workers reported, and the low, median, high and average wage by construction type.

		Number of Workers	Hourly Rates			
			Low	Median	High	Average
Building 1: One or Two Family Homes						
Asbestos Abatement Worker	19					
Wage		\$7.00	\$12.50	\$25.00	\$13.83	
Benefit		0.00	0.24	4.66	0.92	
Backhoe Loader Operator	12					
Wage		10.00	13.15	17.00	13.63	
Benefit		0.00	0.84	4.08	1.32	
Bricklayer	14					
Wage		11.00	17.60	20.00	16.74	
Benefit		0.00	0.77	1.64	0.67	
Bulldozer Operator	19					
Wage		8.00	13.10	20.00	13.31	
Benefit		0.00	1.11	7.59	2.25	
Carpenter	1,078					
Wage		6.25	14.00	36.42	14.53	
Benefit		0.00	0.87	10.37	1.60	
Carpenter - Rough	98					
Wage		7.50	12.25	35.00	12.85	
Benefit		0.00	0.70	4.02	1.08	
Cement Mason/Finisher	83					
Wage		7.00	12.50	18.20	12.50	
Benefit		0.00	0.00	7.65	1.11	
Communication Equip Installer	14					
Wage		10.00	17.16	24.96	16.05	
Benefit		0.00	1.04	2.60	1.00	
Driller - Well	15					
Wage		9.00	12.75	20.07	12.79	
Benefit		0.00	2.17	10.55	3.20	

Appendix 1, continued

Hourly Wage and Benefit Rates by Construction Type and by Trade, Maine, 2003

	Number of Workers	Hourly Rates			
		Low	Median	High	Average
Building 2, continued					
Assembler - Metal Building	20				
Wage		\$8.25	\$12.00	\$18.75	\$12.83
Benefit		0.00	0.13	2.31	0.73
Bricklayer	139				
Wage		12.00	20.00	39.00	20.40
Benefit		0.00	1.46	15.68	2.60
Bulldozer Operator	10				
Wage		9.75	11.13	18.57	12.56
Benefit		0.00	1.43	3.06	1.68
Carpenter	527				
Wage		7.50	15.52	32.35	15.89
Benefit		0.00	2.41	14.97	3.20
Carpenter - Acoustical	36				
Wage		8.00	13.25	20.00	13.40
Benefit		0.00	1.19	4.36	1.35
Carpenter - Rough	141				
Wage		8.50	12.50	32.10	13.57
Benefit		0.00	1.14	6.54	1.76
Cement Mason/Finisher	62				
Wage		8.75	14.00	22.00	14.36
Benefit		0.00	1.48	9.29	2.08
Communication Equip Installer	16				
Wage		16.00	18.31	27.00	19.91
Benefit		3.25	10.84	18.08	10.80
Concrete Pump Operator	15				
Wage		14.00	17.00	27.50	17.75
Benefit		1.61	1.61	5.66	2.36
Crane Operator <15 Tons	10				
Wage		10.75	16.25	30.65	17.45
Benefit		0.09	2.83	6.06	2.79
Drywall Applicator	136				
Wage		10.00	18.00	26.00	17.57
Benefit		0.00	0.00	4.50	0.55
Drywall Taper & Finisher	63				
Wage		8.00	18.00	25.00	17.29
Benefit		0.00	0.32	3.08	0.86

Appendix 1, continued

Hourly Wage and Benefit Rates by Construction Type and by Trade, Maine, 2003

	Number of Workers	Hourly Rates			
		Low	Median	High	Average
Building 2, continued					
Electrician (Licensed)	673				
Wage		\$10.00	\$19.00	\$45.67	\$19.63
Benefit		0.00	5.74	11.44	5.67
Electrician Helper (Licensed)	299				
Wage		6.50	13.00	38.80	13.89
Benefit		0.00	2.57	10.07	2.81
Elevator Constructor	41				
Wage		13.80	27.45	30.90	25.68
Benefit		0.00	10.06	13.76	10.85
Excavator Operator	20				
Wage		8.40	15.62	28.29	15.99
Benefit		0.00	3.27	6.24	2.66
Floor Layer	24				
Wage		9.00	12.00	21.00	12.20
Benefit		0.00	1.26	3.01	1.21
Glazier	29				
Wage		9.00	12.50	18.00	13.19
Benefit		0.50	2.50	2.50	1.98
Industrial Truck Operator	10				
Wage		14.45	18.00	18.00	17.65
Benefit		3.79	5.74	5.74	5.55
Insulation Installer	80				
Wage		7.00	12.00	19.50	12.30
Benefit		0.00	1.42	11.80	1.86
Ironworker - Reinforcing	10				
Wage		9.00	14.00	21.28	14.19
Benefit		0.36	1.35	3.84	1.62
Ironworker - Structural	150				
Wage		8.00	18.00	26.70	16.25
Benefit		0.00	2.67	10.66	3.38
Laborer/Helper/Tender	541				
Wage		6.25	11.00	31.25	11.55
Benefit		0.00	0.57	11.36	1.50
Laborer – Skilled	382				
Wage		7.00	13.06	29.64	14.04
Benefit		0.00	1.69	13.08	2.50

Appendix 1, continued

Hourly Wage and Benefit Rates by Construction Type and by Trade, Maine, 2003

		Number of	Hourly Rates			
		Workers	Low	Median	High	Average
Building 2, continued						
Machine Assembler	24					
Wage			\$14.63	\$18.00	\$22.00	\$18.92
Benefit			0.74	5.74	5.74	5.32
Mechanic - Maintenance	37					
Wage			12.35	16.69	24.00	17.07
Benefit			0.00	2.43	4.17	2.54
Mechanic - Refrigeration	58					
Wage			11.50	18.25	30.00	18.50
Benefit			1.90	3.16	6.93	3.56
Millwright	47					
Wage			13.50	18.00	24.00	18.02
Benefit			0.00	1.63	5.74	2.75
Oil/Fuel Burner Srvcr & Installer	30					
Wage			11.00	15.25	22.50	15.99
Benefit			0.61	2.97	6.74	2.90
Painter	149					
Wage			8.50	11.00	25.21	11.65
Benefit			0.00	1.48	4.86	1.46
Paperhanger	20					
Wage			10.80	13.00	15.00	12.74
Benefit			0.00	0.00	2.24	0.21
Pipe/Steam/Sprinkler Fitter	313					
Wage			9.00	18.00	28.83	17.69
Benefit			0.00	4.90	10.65	4.72
Plumber (Licensed)	278					
Wage			7.00	17.00	32.00	16.74
Benefit			0.00	2.75	8.85	3.07
Plumber Trainee	137					
Wage			9.00	13.00	24.04	13.65
Benefit			0.00	2.70	10.65	2.61
Roofer	198					
Wage			8.00	12.75	23.00	12.85
Benefit			0.00	1.48	6.21	1.68
Sheet Metal Worker	262					
Wage			8.00	14.35	24.75	14.49
Benefit			0.00	2.41	12.23	2.75

Appendix 1, continued

Hourly Wage and Benefit Rates by Construction Type and by Trade, Maine, 2003

		Number of Workers	Hourly Rates			
			Low	Median	High	Average
Building 2, continued						
Sider		11				
	Wage		\$8.00	\$12.25	\$19.00	\$13.55
	Benefit		0.00	0.00	6.59	1.15
Swimming Pool Installer		10				
	Wage		15.75	18.45	27.25	20.24
	Benefit		4.39	4.92	8.21	5.46
Tile Setter		12				
	Wage		14.00	18.64	21.00	18.53
	Benefit		0.00	5.89	8.89	5.57
Truck Driver - Heavy		25				
	Wage		8.50	12.00	16.75	11.79
	Benefit		0.00	1.54	4.56	1.55
Heavy & Bridge						
Backhoe Loader Operator		18				
	Wage		9.57	16.50	27.47	16.51
	Benefit		0.00	4.36	6.41	3.76
Boilermaker		21				
	Wage		17.50	25.08	28.80	23.91
	Benefit		5.75	12.38	13.45	10.69
Bulldozer Operator		17				
	Wage		10.00	13.59	19.90	13.54
	Benefit		0.00	1.98	5.05	1.84
Carpenter		85				
	Wage		10.50	15.00	20.00	15.21
	Benefit		0.00	3.39	8.50	2.92
Carpenter - Rough		131				
	Wage		10.00	15.50	25.46	15.80
	Benefit		0.66	4.69	9.42	4.39
Cement Mason/Finisher		20				
	Wage		14.00	18.00	24.00	17.58
	Benefit		0.00	5.09	6.79	4.10
Communication Trans. Erector		30				
	Wage		9.00	15.36	19.23	15.09
	Benefit		0.00	1.11	13.60	2.58

Appendix 1, continued

Hourly Wage and Benefit Rates by Construction Type and by Trade, Maine, 2003

	Number of Workers	Hourly Rates			
		Low	Median	High	Average
Heavy & Bridge, continued					
Crane Operator =>15 Tons	61				
Wage		\$14.00	\$18.89	\$30.00	\$18.70
Benefit		0.51	4.79	12.78	4.67
Electrician (Licensed)	200				
Wage		11.31	21.00	28.06	20.47
Benefit		0.00	6.42	13.64	6.98
Electrician Helper (Licensed)	102				
Wage		10.00	14.50	19.12	14.57
Benefit		0.00	2.80	9.40	2.95
Excavator Operator	61				
Wage		8.50	15.00	29.85	16.18
Benefit		0.00	2.50	9.93	3.26
Insulation Installer	33				
Wage		10.00	12.50	19.00	13.29
Benefit		0.00	5.80	9.07	5.22
Ironworker – Reinforcing	36				
Wage		11.00	18.00	30.32	19.02
Benefit		0.00	6.67	15.30	5.35
Ironworker - Structural	151				
Wage		10.00	18.00	25.07	18.06
Benefit		0.00	3.82	15.14	3.91
Laborer/Helper/Tender	230				
Wage		7.00	11.50	31.50	12.52
Benefit		0.00	0.61	9.06	2.26
Laborer – Skilled	227				
Wage		7.50	13.93	26.00	13.77
Benefit		0.00	3.84	8.93	3.62
Line Erector - Power	32				
Wage		12.00	17.69	30.00	17.71
Benefit		0.00	3.64	15.04	4.62
Loader Operator - Front-End	29				
Wage		9.00	14.32	29.85	14.35
Benefit		0.00	1.68	9.93	2.11
Mechanic - Maintenance	41				
Wage		12.25	16.00	26.60	16.71
Benefit		0.51	2.59	9.93	3.33

Appendix 1, continued

Hourly Wage and Benefit Rates by Construction Type and by Trade, Maine, 2003

		Number of Workers	Hourly Rates			
			Low	Median	High	Average
Heavy & Bridge, continued						
Millwright		161				
	Wage		\$10.00	\$19.75	\$31.33	\$18.87
	Benefit		0.00	6.63	15.94	6.20
Painter		29				
	Wage		12.00	16.00	23.32	16.48
	Benefit		0.00	4.39	5.38	3.10
Pile Driver Operator		22				
	Wage		10.00	16.00	18.78	16.07
	Benefit		3.23	4.70	6.53	4.35
Pipe/Steam/Sprinkler Fitter		250				
	Wage		13.00	19.00	29.51	19.58
	Benefit		0.00	5.37	12.01	5.89
Pipelayer		44				
	Wage		9.50	17.00	17.00	14.65
	Benefit		0.00	2.65	3.70	2.34
Sheet Metal Worker		12				
	Wage		10.07	20.13	21.88	19.31
	Benefit		6.73	10.29	10.29	9.99
Truck Driver - Heavy		76				
	Wage		8.50	11.16	20.25	11.87
	Benefit		0.00	0.48	9.71	1.23
Truck Driver – Tractor Trailer		16				
	Wage		9.00	14.15	20.63	13.71
	Benefit		0.00	2.31	4.73	2.48
Highway & Earthwork						
Asphalt Raker		59				
	Wage		8.00	11.50	16.25	11.46
	Benefit		0.00	0.30	8.04	1.79
Backhoe Loader Operator		77				
	Wage		8.00	13.76	43.12	15.15
	Benefit		0.00	2.26	7.20	2.19
Bulldozer Operator		126				
	Wage		9.00	15.00	29.85	15.68
	Benefit		0.00	2.70	9.01	2.80

Appendix 1, continued

Hourly Wage and Benefit Rates by Construction Type and by Trade, Maine, 2003

	Number of Workers	Hourly Rates			
		Low	Median	High	Average
Highway & Earthwork, continued					
Cement Mason/Finisher	13				
Wage		\$13.00	\$15.96	\$23.55	\$17.79
Benefit		0.00	2.37	8.83	4.25
Crusher Plant Operator	59				
Wage		10.00	12.50	26.72	14.09
Benefit		0.00	2.96	8.04	2.88
Driller – Rock	26				
Wage		11.00	13.24	15.50	13.36
Benefit		0.00	2.60	2.81	2.26
Electrician (Licensed)	15				
Wage		15.06	19.00	25.00	19.64
Benefit		0.00	3.65	8.57	4.10
Excavator Operator	322				
Wage		9.00	14.50	36.30	15.26
Benefit		0.00	1.88	8.49	2.17
Flagger	16				
Wage		8.00	9.84	17.00	10.43
Benefit		0.00	0.44	6.78	2.36
Grader/Scraper Operator	38				
Wage		9.25	16.06	24.75	15.49
Benefit		0.00	3.56	6.78	3.41
Highway Worker/Guardrail Inst.	24				
Wage		7.92	12.00	26.08	12.86
Benefit		0.00	3.02	7.34	2.51
Hot Top Plant Operator	22				
Wage		9.00	15.25	21.00	14.28
Benefit		0.00	5.82	7.79	4.46
Laborer/Helper/Tenders	631				
Wage		6.25	10.00	24.89	10.35
Benefit		0.00	0.58	8.62	1.62
Laborer – Skilled	355				
Wage		6.25	11.10	30.43	11.83
Benefit		0.00	1.10	10.33	1.91
Loader Operator - Front-End	220				
Wage		8.50	13.50	43.12	14.15
Benefit		0.00	2.54	8.06	2.73

Appendix 1, continued

Hourly Wage and Benefit Rates by Construction Type and by Trade, Maine, 2003

		Number of	Hourly Rates			
		Workers	Low	Median	High	Average
Highway & Earthwork, continued						
Mechanic - Maintenance	164					
Wage			\$8.00	\$14.28	\$28.63	\$14.78
Benefit			0.00	2.45	11.19	2.83
Paver - Bituminous	88					
Wage			8.00	13.96	32.13	14.90
Benefit			0.00	1.21	8.04	3.02
Pipelayer	18					
Wage			10.00	11.63	16.50	12.27
Benefit			0.00	1.01	6.41	1.73
Roller Operator - Earth	41					
Wage			9.10	12.00	21.61	13.82
Benefit			0.00	4.34	8.04	3.39
Roller Operator - Pavement	110					
Wage			9.00	15.23	20.63	14.10
Benefit			0.00	6.40	8.04	4.54
Truck Driver, Light	17					
Wage			9.00	10.00	18.00	11.02
Benefit			0.00	2.60	6.78	2.92
Truck Driver - Medium	68					
Wage			8.00	10.00	15.50	10.55
Benefit			0.00	0.37	8.04	0.83
Truck Driver - Heavy	638					
Wage			7.50	11.00	29.45	11.23
Benefit			0.00	0.89	8.04	1.74
Truck Driver – Tractor Trailer	118					
Wage			8.00	12.20	20.75	12.86
Benefit			0.00	2.96	7.34	2.59
Truck Driver – Mixer (Cement)	59					
Wage			9.00	10.50	14.00	10.60
Benefit			0.00	3.22	7.34	3.33

Appendix 2

Sample Determination

State of Maine
Department of Labor
Bureau of Labor Standards
Technical Services Division
45 State House Station
Augusta, Maine 04333-0045
Telephone (207) 624-6445

Wage Determination - In accordance with Chapter 15, P.L. 1967, this is a determination by the Bureau of Labor Standards, of the fair minimum wage rate to be paid laborers and workers employed on the below titled project.

Title of Project -----

Location of Project --

Sample Determination

2004 Fair Minimum Wage Rates Heavy & Bridge Cumberland County

<u>Occupation Title</u>	<u>Minimum Wage</u>	<u>Minimum Benefit</u>	<u>Total</u>	<u>Occupation Title</u>	<u>Minimum Wage</u>	<u>Minimum Benefit</u>	<u>Total</u>
Backhoe Loader Operator	\$16.50	\$4.36	\$20.86	Laborers/Helper/Tender	\$12.00	\$0.37	\$12.37
Boilermaker	\$25.08	\$12.38	\$37.46	Laborer - Skilled	\$13.25	\$2.12	\$15.37
Bulldozer Operator	\$13.59	\$1.98	\$15.57	Line Erector, Power	\$19.66	\$2.67	\$22.33
Carpenter	\$15.50	\$3.33	\$18.83	Loader Op, Front-End	\$14.28	\$1.68	\$15.96
Carpenter - Rough	\$15.00	\$4.69	\$19.69	Mechanic - Maintenance	\$16.00	\$2.11	\$18.11
Cement Mason/Finisher	\$18.00	\$5.09	\$23.09	Millwright	\$18.00	\$3.72	\$21.72
Commun Trans Erectr	\$16.67	\$4.01	\$20.68	Painter	\$15.00	\$2.98	\$17.98
Crane Op =>15 Tons	\$18.58	\$4.84	\$23.42	Pile Driver Operator	\$16.00	\$3.23	\$19.23
Electrician, Licensed	\$19.00	\$3.50	\$22.50	Pipe/Stm/Sprkler Fitter	\$19.00	\$4.65	\$23.65
Electrician Hlpr (Licensed)	\$14.34	\$2.80	\$17.14	Pipelayer	\$17.00	\$3.70	\$20.70
Excavator Operator	\$16.00	\$3.29	\$19.29	Sheet Metal Worker	\$20.13	\$10.29	\$30.42
Insulation Installer	\$12.50	\$5.80	\$18.30	Truck Driver, Heavy	\$11.31	\$1.07	\$12.38
Ironworker - Reinforcing	\$18.00	\$2.43	\$20.43	Truck Driver, Tractor Trlr	\$14.80	\$3.09	\$17.89
Ironworker - Structural	\$17.00	\$3.58	\$20.58				

If any specific occupation is not listed in this determination, there has been no fair minimum wage determined by the Bureau of Labor Standards and there will be none in effect for this project.

Welders are classified as the trade to which the welding is incidental.

Apprentices - The minimum wage rate for registered apprentices are those set forth in the standards and policies of the Maine State Apprenticeship and Training Council for approved apprenticeship programs.

Posting of Schedule - Posting of this schedule is required in accordance with Chapter 15, P.L. 1967, by any contractor holding a State contract for construction valued at \$10,000 or more and any subcontractors to such a contractor.

Appeal - Any person affected by the determination of these rates may appeal to the Commissioner of Labor by filing a written notice with the Commissioner stating the specific grounds of the objection within ten (10) days from the filing of these rates with the Secretary of State.

A true copy

Determination No: HB-000-2004

Attest: _____

Filing Date: _____, 2004

Expiration Date: 12-31-2004

William A. Peabody
Director
Bureau of Labor Standards

Appendix 3

Construction Classifications

(As agreed to through the rule-making process.)

Building 1

1 or 2 family homes
(List from sic 1521 will be included)
Mobile home set up & tie down

Building 2

Buildings other than 1 or 2 family homes
(List from sic 1522, 1531, 1541, and 1542 to be included)

Highway & Earthwork

Airport runway construction
Alley construction
Asphalt paving: roads, public sidewalks, and streets
Athletic fields
Bridle path construction
Brush clearing or cutting
Clearing of land
Concrete construction: roads, highways, public sidewalks, and streets
Cutting right of way
Drainage project construction
Earth moving, not in conjunction with other construction
Golf course construction
Grading for highways, streets, and airport runways
Guardrail construction on highways
Highway construction, except elevated
Highway signs installation
Land leveling
Land reclamation
Manhole construction
Parkway construction
Paving construction
Pond construction
Resurfacing streets & highways
Road construction
Sidewalk construction
Soil compacting
Street maintenance or repair
Street paving
Tennis court construction (outdoor)
Trail building
Trailer parks/campgrounds
Trenching, not in conjunction with other construction

Heavy & Bridge

Abutment construction
Aqueduct construction
Blasting except building demolition
Breakwater construction
Bridge construction
Cable laying construction
Cable television line construction
Caisson drilling
Canal construction
Causeway construction on structural supports
Central station construction
Channel construction
Channel cutoff construction
Chemical complex or facilities construction
Cofferdam construction
Coke oven construction
Conduit construction
Dam construction
Dike construction
Discharging station construction
Distribution line construction
Dock construction
Dredging
Elevated highway construction
Flood control project
Furnace construction for industrial plants
Gas main construction
Harbor construction
Hydroelectric plant construction
Industrial incinerator construction
Industrial plant appurtenance
Irrigation projects construction
Jetty construction
Kiln construction
Levee construction
Light & power plant construction
Loading station construction, mine
Lock & waterway construction
Marine construction
Mine loading and discharging station construction
Mining appurtenance construction
Missile facilities construction
Natural gas compressing station construction
Nuclear reactor containment structure construction
Oil refinery construction

Heavy & Bridge, continued

Oven construction for industrial plants
Oven construction, bakers'
Overpass construction
Petrochemical plant construction
Petroleum refinery construction
Pier construction
Pile driving
Pipe laying
Pipeline construction
Pipeline wrapping
Pole line construction
Power line construction
Power plant construction
Pumping station construction
Radio transmitting tower construction
Railroad construction
Railway roadbed construction
Reservoir construction
Revetment construction
Rock removal, underwater
Sewage collection & disposal line construction
Sewage treatment plant construction
Sewer construction
Ski tow erection
Submarine rock removal
Subway construction
Telegraph line construction
Telephone line construction
Television transmitting tower construction
Timber removal, underwater
Tipple construction
Transmission line construction
Trestle construction
Tunnel construction
Underpass construction
Viaduct construction
Washeries construction, mining
Waste disposal plant construction
Water main line construction
Water treatment plant construction
Waterpower project construction
Waterway construction
Wharf construction

Appendix 4

Occupational Descriptions¹

Asbestos Removal Worker - Removes and disposes of asbestos following hazardous waste handling guidelines. (869.684-082)

Asphalt Raker - Rakes and spreads bituminous paving material evenly over road surfaces to specified thickness. (869.687-026)

Assembler, Metal Building - Assembles prefabricated metal buildings according to blueprint specifications, using hand tools, power tools, and hoisting equipment. (801.381-010)

Backhoe Loader Operator (Power Shovel Operator) - Operates power-driven machine, equipped with movable shovel. (850.683-030)

Blaster - Assembles, plants, and detonates charges of industrial explosives to loosen earth, rock, stumps, or to demolish structures to facilitate removal. (859.261-010)

Boilermaker - Assembles, analyzes defects in, and repairs boilers, pressure vessels, tanks, and vats. May fabricate stacks, uptakes, chutes and other parts to adapt boiler to its installation site. (805.261-014)

Boom Truck (Truck-Crane) Operator - Operates gasoline or diesel-powered crane mounted on specially constructed truck chassis to lift and move materials and objects. (921.663-062)

Bricklayer - Lays brick, structural tile, and concrete cinder, glass, gypsum, and terra cotta block (except stone) to construct or repair structures. (861.381-018)

Bulldozer Operator - Operates tractor equipped with concave blade attached across front to gouge out, level, and distribute earth, or to move trees and other growth, or demolish structures. (850.683-010)

Cable Splicer - Splices overhead, underground, or submarine multiple-conductor cables used in telephone and telegraph communication and electric-power transmission systems. (829.361-010)

Cable Television Installer - Installs cable television cables and equipment on customer's premise, using electrician's tools and test equipment, (821.281-010)

Carpenter - Constructs, erects, installs, and repairs structures and fixtures of wood or other building materials. Studies blueprints, sketches, or building plans for specifications. (860.381-022)

Carpenter, Acoustical - Mounts acoustical tile to walls and ceilings of buildings to reduce reflection of sound and to decorate rooms. (860.381-010)

Carpenter, Rough - Builds rough wooden structures, such as concrete forms, scaffolds, tunnel and sewer supports, and temporary frame shelters, according to sketches, blueprints, or oral instructions. (860.381-042)

Cement Mason/Finisher - Smooths and finishes surfaces of poured concrete to specified textures. (844.364-010)

Communication Equipment Installer - Installs, tests, and repairs communication equipment, such as public address and intercommunication systems, wired burglar alarms, switchboards, telegraphs, telephones, and related apparatus. (822.281-018)

Communication Transmission Erector (includes microwave & cell phone tower erection) - Erects and maintains poles, towers, and cable and related equipment for transmission of communication signals.

Compressor Operator - Tends one or more portable power-driven pumps, compressors, or generators to provide power for tools, machinery and equipment, to remove water, or to maintain air supply at construction site. (869.665-010)

Concrete Mixing Plant Operator - Performs any combination of duties involved in storing and mixing aggregate and discharging concrete into trucks, cars, or buckets. (579.665-014)

Concrete Pump Operator - Tends one or more machines that pump concrete, grout, or dry mixtures of sand and cement through hoses to fill forms and crevices or to coat surfaces. (849-665-010)

Crane Operator <15 tons - Operates crane of under 15 tons rated capacity to lift, move, and position loads. (921.663-010)

Appendix 4, continued

Occupational Descriptions¹

Crane Operator =>15 tons - Operates crane of 15 tons or more rated capacity to hoist, move and place materials and objects.

Crusher Plant Operator - Operates concrete or sand and gravel plant to batch, crush, or segregate materials used in construction. (570.682-014)

Diver - Works below surface of water to inspect, repair, remove, and install equipment and structures while using scuba gear or in a diving suit with an air line extending to surface. (899.261-010)

Driller, Rock - Operates tractor-mounted or upright column supported rock drilling machine to drill through rock or other hard materials in construction work or drilling explosive-charge holes to facilitate blasting operations. (850.662-014 - 850.683-034)

Driller, Well - Sets up and operates portable drilling rig (machine and related equipment) to drill wells. (859.362-010)

Drywall Applicator - Plans gypsum drywall installations, erects metal framing and furring, installs drywall to cover walls, ceilings, soffits, shafts, and movable partitions in residential, commercial, and industrial buildings. (842.361-030)

Drywall Taper and Finisher - Spreads compound to seal joints between plasterboard or other wallboards, presses paper tape over joint to embed tape into compound, spreads and smoothes cementing materials over tape to prepare wall surface for painting or papering. (842.664-010)

Earth Auger Operator - Operates earth-boring machine, mounted on truck or tractor, to dig holes for poles or posts. (859.682-010)

Electrician (Licensed) - Plans layout and installs and repairs wiring, electrical fixtures, apparatus, and electrical control equipment. (824.261-010)

Electrician Helper/Cable Puller (Licensed) - Assists electrician to install and repair electrical wiring, fixtures, and equipment. (829.684-022)

Elevator Constructor/Installer - Assembles and installs electric and hydraulic freight and passenger elevators, escalators, and dumb waiters. (825.361-010)

Excavator Operator - Operates single function power-driven machine, equipped with movable shovel to excavate or move coal, dirt, rock, sand, and other materials. (850.683-030)

Flagger - Controls movement of traffic through construction site by using signs, hand or flag signals. (372.667-022)

Floor Layer - Applies blocks, strips, or shock-absorbing, sound-deadening, or decorative covering to floors, walls, and cabinets. (864.481-010)

Fuel Burner Servicer & Installer - Installs and services automatic fuel burners in furnaces in homes and commercial establishments. (862.281-018)

Furniture Installer/Assembler - Uncrates, assembles, installs and repairs furniture and office equipment in customers' homes or offices: Uncrates and assembles using hand tools. (739.684-082)

Glazier - Installs glass in windows, skylights, storefronts, and display cases, or on surfaces, such as building fronts, interior walls, ceilings, and tabletops. (865.381-010)

Grader/Scraper Operator - Operates grader to scrape, spread, and level work. (850.683-038)

Highway Worker/Guardrail Installer - Maintains highways, municipal and rural roads and rights-of-way in safe condition, performing combination of following duties: Erects and repairs guardrails, highway markers and snow fences. Dumps, spreads, and tamps asphalt, using pneumatic tamper to patch broken or eroded pavement. (899.684-014)

Hot Top Plant Operator - Operates plant to heat, dry, and mix ingredients to produce asphalt-paving materials. (570.682-014)

Industrial Truck (Forklift) Operator - (At construction site) - Drives powered industrial truck equipped with lifting devices to unload, stack or move materials around the construction site. (921.683-050)

Appendix 4, continued

Occupational Descriptions¹

Insulation Installer - Fit and apply insulating material to exposed surfaces. (863.364-014)

Ironworker, Ornamental - Installs prefabricated ornamental ironwork other than structural ironwork. (809.381-022)

Ironworker, Reinforcing - Plans layout and positions and secures steel bars or wire mesh to concrete forms to reinforce concrete. (801.684-026)

Ironworker, Structural - Performs various duties to raise, place, and unite girders, columns, and other structural steel members to form structures or structural frameworks. (801.361-014)

Lather - Fastens wooden, metal, or rockboard lath to walls, ceilings, and partitions of buildings to provide supporting base for plaster, fireproofing, acoustical material. (842.361-010)

Laborer, Including Helper & Tender - Perform a variety of tasks requiring little or no independent judgment. Work is usually performed with other workers. (869.687-026)

Laborer, Skilled - Performs combination of duties usually working in utility capacity by transferring from one task to another where demands require worker with varied experience and ability to work without close supervision. Work is usually performed with other workers. (869.664-014)

Lather - Fastens wooden, metal or rockboard lath to walls, ceilings, and partitions of buildings to provide supporting base for plaster, fireproofing, or acoustical material. Erects horizontal metal framework to which laths are fastened. (842.361-010)

Line-Erector, Power - Erects, maintains, and repairs wood poles and prefabricated light duty metal towers, cable and related equipment to construct transmission and distribution power lines. (821.361-018)

Loader Operator, Front-End - Operates front-mounted hydraulically powered bucket or scoop to pick up and move earth or other material. (921.683-042)

Mechanic Maintenance - Inspects, repairs, and maintains functional parts of mechanical equipment and machinery. (620.281-046)

Mechanic, Refrigeration - Installs and repairs industrial and commercial refrigerating and cooling systems. (637.261-026)

Millwright - Installs machinery and equipment in an industrial establishment. (638.281-018)

Oil-Burner Servicer & Installer - See Fuel Burner Servicer & Installer

Painter - Applies paint or other coatings to decorate and protect interior or exterior surfaces, trimmings and fixtures of buildings & other structures, using brush, roller, spray gun, cloth, sponge or fingers. (840.381-010)

Paperhanger - Covers interior walls and ceiling of rooms with decorative wallpaper or fabric. (841.381-010)

Paver, Bituminous - Operates machine that spreads and levels hot-mix bituminous paving material on subgrade highways, streets, etc. (853.663-010)

Pile Driver, Operator - Operates pile driver mounted on skids, barge, crawler treads, or locomotive crane to drive piling as foundations for structures, such as buildings, bridges, and piers. (859.682-018)

Pipe Fitter/Steam Fitter/Sprinkler Fitter - Lays out, assembles, installs, and maintains pipe systems, pipe supports, and related equipment for steam, hot water, heating, cooling, lubricating, sprinkling systems. (862.281-022)

Pipe Layer - Positions, joins, aligns, and seals in-ground pipe sections. (869.664-014)

Plasterer - Applies coats of plaster to interior walls, ceilings, and partitions, etc. to produce a finished surface. (842.361-018)

Plumber (Licensed) - Assembles, installs, and repairs pipes, fittings, and fixtures of heating, water, and drainage systems. (862.381-030)

Appendix 4, continued

Occupational Descriptions¹

Plumber Trainee (Licensed) – Assist plumber installing and repairing pipe, fittings, and affixtures of heating, water and drainage systems.

Pump Installer - Installs and adjusts electric, gasoline, and diesel-driven pumps and blowers, using hand tools, power tools, and diagrams. Levels and bolts down pump. Aligns and connects ducts and drive couplings. (630.684-018)

Rigger - Assembles rigging to lift and move equipment or material. (869.683-014)

Rock Splitter - Splits rough dimension stone into smaller units using air hammer, wedges and shims. (771.684-010)

Roller Operator, Earth - Operates rolling machine to compact earth fills, subgrades, gravel bases. (859.683-030)

Roller Operator, Pavement - Drives heavy rolling machine (road roller) to compact earth fills, sub grades, flexible bases, and bituminous surface to grade specifications preparatory to construction of highways, streets, and runways. (859.683-030)

Roofer - Covers roofs with roofing materials other than sheet metal. (866.381-010)

Rotomill (Road-Mixer) Operator – Drives & Operates machine that mixes waterproofing and binding material with soil to stabilize soil for road surfaces & airport runways. (859.683-026)

Sand/Water Blaster – Abrades surfaces of metal or hard-composition objects to remove adhering scale, sand, paint, grease, tar, rust, and dirt using power blasting equipment. (503.687-010)

Sheet Metal Worker - Fabricates, assembles, installs, and repairs sheet metal products equipment and metal roofs. (804.281-010)

Sider - Applies asbestos, aluminum, pulpwood fiber, plastic panels, brick veneer, or porcelainized metal siding, and underlying insulating base to building exteriors. (863.684-014)

Stonemason - Sets stone to build stone structures, such as piers, walls, and abutments, or lays walks, curbstones, or special types of masonry, such as alberene (acid-resistant soapstone for vats, tanks, and floors. (861.381-038)

Tile Setter - Applies tile to walls, floors, ceilings, and decks. (861.381-054)

Track Moving Machine Operator - Operates vehicle that automatically moves and lays track or rails to construct, repair, or maintain railroad tracks or mining car tracks. (910.663-010)

Truck Crane Operator (Boom Truck) – Operates gasoline or diesel-powered crane mounted on specially constructed truck chassis to lift and move materials and objects. (921.663-062)

Truck Driver, Light - Drives truck with gross vehicle weight (gvw) less than 18,000 pounds. (906.683-022)

Truck Driver, Medium - Drives truck with gross vehicle weight (gvw) from 18,000 to 26,000 pounds.

Truck Driver, Heavy - Drives truck with gross vehicle weight (gvw) over 26,000 pounds. (905.663-014)

Truck Driver, Mixer (Cement) - Drives truck equipped with auxiliary concrete mixer to deliver concrete mix to job sites. (900.683-010)

Truck Driver, Tractor Trailer - Drives gasoline or diesel-powered tractor-trailer combination, usually long distances, to transport and deliver products. (904.383-010)

Wheelman/Asphalt Distributor Tender – Tends bituminous distributor on rear of road-oiling truck that sprays tar, asphalt, road oils, and emulsions over highways, streets, and parking areas. (853.665-010)

Welder - Welders should be listed under craft to which welding is incidental.

Example - If welding on structural metal, the person should be reported as "Ironworker, Structural"

¹U.S. Department of Labor, Employment and Training Administration, *Dictionary of Occupational Titles*, 4th edition (revised 1991).

Appendix 5

Standard Industrial Classification²

The Department of Labor uses the Standard Industrial Classification (SIC) system to determine whether or not a business qualifies as construction based on the type of activity in which it is engaged.

For the Standard Industrial Classification Codes for construction, go to the following internet address: (click on 'Standard Industrial Classification codes for construction')

<http://www.Maine.gov/labor/bls/wagerateconst.htm>

If you are unable to access the information via the web site, contact this office at the numbers listed on the back of the title page.

²Executive Office of the President, Office of Management and Budget, *Standard Industrial Classification Manual* (revised 1987).

Appendix 6

Hourly Wage and Benefit Rates by Standard Industrial Classification (SIC) and by Trade, Maine, 2003

The following are statewide rates and are not intended to be used for wage determination purposes, but are meant for statistical use only. See Section IV for the Prevailing Wage Rate information.

Following is a listing of occupations, the number of workers, and the low, median, high, and average wage and benefit rates by Standard Industrial Classification (SIC). In this table all types of building contractors are combined (SIC 15). Highway is combined with Heavy & Bridge (SIC 16), and Special Trades Contractors (SIC 17) are listed separately.

		Number of	Hourly Rates			
		Workers	Low	Median	High	Average
Building (SIC 15)						
Assembler, Metal Building		20				
	Wage		\$8.25	\$12.00	\$18.75	\$12.83
	Benefit		0.00	0.13	2.31	0.73
Carpenter		1,331				
	Wage		7.25	14.75	36.42	14.98
	Benefit		0.00	1.29	14.97	2.05
Carpenter - Rough		227				
	Wage		7.50	13.00	32.10	13.65
	Benefit		0.00	1.65	7.26	1.95
Cement Mason/Finisher		20				
	Wage		8.00	12.75	19.50	12.61
	Benefit		0.15	2.99	5.75	2.60
Electrician (Licensed)		86				
	Wage		10.00	20.00	29.22	19.92
	Benefit		0.00	5.50	6.58	3.89
Electrician Helper (Licensed)		23				
	Wage		9.00	17.50	19.00	16.07
	Benefit		0.02	0.82	2.69	1.21
Excavator Operator		21				
	Wage		8.40	15.00	22.78	15.65
	Benefit		0.00	1.72	6.24	2.16
Industrial Truck/Forklift Operator		10				
	Wage		14.45	18.00	18.00	17.65
	Benefit		3.79	5.74	5.74	5.55
Ironworker - Structural		136				
	Wage		8.50	18.00	24.00	16.18
	Benefit		0.00	3.03	10.66	3.84

Appendix 6, continued

Hourly Wage and Benefit Rates by Standard Industrial Classification (SIC) and by Trade, Maine, 2003

	Number of Workers	Hourly Rates			
		Low	Median	High	Average
Building (SIC 15), continued					
Laborer/Helper/Tender	317				
Wage		\$7.00	\$10.50	\$31.25	\$11.15
Benefit		0.00	0.74	11.36	1.78
Laborer - Skilled	288				
Wage		7.00	12.00	23.00	12.36
Benefit		0.00	0.63	8.60	1.54
Machine Assembler	24				
Wage		14.63	18.00	22.00	18.92
Benefit		0.74	5.74	5.74	5.32
Millwright	82				
Wage		12.00	18.00	24.00	18.34
Benefit		0.23	2.97	8.34	4.19
Painter	85				
Wage		8.50	13.00	25.21	12.75
Benefit		0.00	0.43	7.15	1.69
Pipe/Steam/Sprinkler Fitter	150				
Wage		9.00	18.00	28.00	18.31
Benefit		0.32	5.74	11.00	4.93
Plumber (Licensed)	11				
Wage		11.50	18.00	32.00	18.13
Benefit		0.00	0.60	3.92	1.51
Plumber Trainee	11				
Wage		9.25	11.00	18.00	12.11
Benefit		0.02	0.53	2.17	0.90
Roofer	24				
Wage		8.00	17.00	17.00	14.59
Benefit		0.00	6.54	6.54	3.66
Sider	18				
Wage		9.25	11.00	15.00	11.32
Benefit		0.00	0.21	2.01	0.51
Truck Driver – Heavy	19				
Wage		9.00	11.00	16.00	11.13
Benefit		0.00	0.00	2.35	0.69

Appendix 6, continued

Hourly Wage and Benefit Rates by Standard Industrial Classification (SIC) and by Trade, Maine, 2003

		Number of Workers	Hourly Rates			
			Low	Median	High	Average
Highway & Heavy (SIC 16)						
Asphalt Raker		36				
	Wage		\$8.00	\$11.98	\$14.50	\$11.46
	Benefit		0.00	2.41	8.04	2.80
Backhoe Loader Operator		57				
	Wage		9.57	15.75	43.12	16.84
	Benefit		0.00	3.58	7.20	3.26
Bulldozer Operator		70				
	Wage		11.00	16.03	29.85	17.36
	Benefit		0.00	4.12	7.82	3.53
Carpenter		144				
	Wage		10.50	15.73	27.05	16.15
	Benefit		0.00	3.61	8.50	3.16
Carpenter - Rough		70				
	Wage		10.00	15.45	25.46	15.60
	Benefit		0.00	4.71	7.47	4.21
Cement Mason/Finisher		14				
	Wage		14.00	16.00	24.00	17.25
	Benefit		0.00	4.56	6.79	3.47
Crane Operator =>15 Tons)		62				
	Wage		13.50	18.54	30.00	18.37
	Benefit		0.00	4.77	7.22	4.29
Crusher Plant Operator		38				
	Wage		10.25	12.50	26.72	14.45
	Benefit		0.00	3.47	8.04	3.47
Driller - Rock		32				
	Wage		11.00	14.00	17.82	13.99
	Benefit		0.00	2.60	6.41	2.03
Electrician (Licensed)		82				
	Wage		11.50	19.00	24.00	19.18
	Benefit		0.00	3.92	6.78	3.49
Electrician Helper (Licensed)		80				
	Wage		10.00	14.00	19.00	13.76
	Benefit		0.00	2.88	6.15	2.77
Excavator Operator		146				
	Wage		9.00	15.12	30.26	16.77
	Benefit		0.00	3.26	7.42	2.96

Appendix 6, continued

Hourly Wage and Benefit Rates by Standard Industrial Classification (SIC) and by Trade, Maine, 2003

		Number of Workers	Hourly Rates			
			Low	Median	High	Average
Highway & Heavy (SIC 16), continued						
Flagger		12				
	Wage		\$8.50	\$9.84	\$17.00	\$11.01
	Benefit		0.00	0.30	6.78	2.80
Grader/Scraper Operator		34				
	Wage		11.96	16.79	29.85	17.88
	Benefit		0.00	5.64	6.78	4.58
Highway Worker/Guardrail Inst		10				
	Wage		7.92	10.25	15.00	10.44
	Benefit		0.00	1.61	7.34	2.54
Hot Top Plant Operator		18				
	Wage		9.00	14.50	16.11	13.65
	Benefit		0.34	6.40	7.79	5.31
Ironworker - Structural		131				
	Wage		10.00	18.00	26.70	17.95
	Benefit		0.00	3.79	6.42	3.36
Laborer/Helper/Tender		428				
	Wage		7.00	10.42	22.83	11.27
	Benefit		0.00	2.54	8.62	2.49
Laborer - Skilled		278				
	Wage		6.90	12.00	30.43	12.86
	Benefit		0.00	3.55	8.60	2.79
Line Erector - Power		29				
	Wage		12.00	16.50	30.00	17.50
	Benefit		0.00	3.37	6.44	3.53
Loader Operator - Front-End		125				
	Wage		8.50	15.00	43.12	15.39
	Benefit		0.00	3.52	8.06	3.58
Mechanic - Maintenance		108				
	Wage		9.00	15.44	28.63	15.82
	Benefit		0.00	3.84	7.79	3.73
Millwright		52				
	Wage		13.00	18.33	24.00	18.41
	Benefit		0.00	4.85	8.50	4.51
Painter		17				
	Wage		12.00	15.00	19.00	15.09
	Benefit		0.00	0.76	5.34	1.87

Appendix 6, continued

Hourly Wage and Benefit Rates by Standard Industrial Classification (SIC) and by Trade, Maine, 2003

	Number of Workers	Hourly Rates			
		Low	Median	High	Average
Highway & Heavy (SIC 16), continued					
Paver - Bituminous	72				
Wage		\$8.00	\$14.25	\$32.13	\$15.14
Benefit		0.00	4.60	8.04	3.54
Pile Driver Operator	22				
Wage		10.00	16.00	18.78	16.07
Benefit		3.23	4.70	6.53	4.35
Pipe/Steam/Sprinkler Fitter	136				
Wage		13.00	19.00	29.51	19.10
Benefit		0.00	4.57	10.65	4.31
Pipelayer	42				
Wage		10.00	16.75	17.00	15.13
Benefit		0.00	3.70	6.41	2.69
Roller Operator - Earth	38				
Wage		9.50	13.52	21.67	14.48
Benefit		0.00	4.39	8.04	3.79
Roller Operator - Pavement	93				
Wage		9.00	16.11	20.63	14.42
Benefit		0.00	6.40	8.04	5.30
Screed Operator	11				
Wage		13.90	15.10	17.25	15.46
Benefit		6.41	6.78	7.09	6.71
Truck Driver - Light	10				
Wage		9.00	12.80	18.00	12.55
Benefit		2.50	6.41	6.78	4.91
Truck Driver - Medium	22				
Wage		9.56	10.70	13.00	10.95
Benefit		0.00	0.37	8.04	1.46
Truck Driver - Heavy	337				
Wage		8.15	11.31	29.45	11.68
Benefit		0.00	1.89	8.04	2.37
Truck Driver - Mixer (Cement)	28				
Wage		10.00	11.33	13.70	11.37
Benefit		3.22	6.77	7.34	6.28
Truck Driver - Tractor Trailer	78				
Wage		8.50	12.80	20.75	13.73
Benefit		0.00	3.35	7.34	3.60

Appendix 6, continued

Hourly Wage and Benefit Rates by Standard Industrial Classification (SIC) and by Trade, Maine, 2003

	Number of Workers	Hourly Rates			
		Low	Median	High	Average
Special Trades Contractors (SIC 17)					
Asbestos Abatement Worker	83				
Wage		\$7.00	\$14.25	\$25.00	\$14.51
Benefit		0.00	0.57	12.87	2.03
Asphalt Raker	33				
Wage		7.50	11.50	16.25	11.60
Benefit		0.00	0.00	2.11	0.18
Backhoe Loader Operator	45				
Wage		8.00	12.50	25.00	13.20
Benefit		0.00	0.72	6.45	1.35
Boilermaker	21				
Wage		17.50	25.08	28.80	23.91
Benefit		5.75	12.38	13.45	10.69
Bricklayer	147				
Wage		11.00	20.00	30.00	19.64
Benefit		0.00	1.03	9.87	2.11
Bulldozer Operator	95				
Wage		8.00	13.00	23.00	13.40
Benefit		0.00	1.28	9.01	1.99
Carpenter	218				
Wage		6.25	13.83	35.00	14.27
Benefit		0.00	0.80	10.37	2.24
Carpenter - Acoustical	35				
Wage		8.00	13.50	20.00	13.50
Benefit		0.00	1.06	4.36	1.29
Carpenter - Rough	76				
Wage		8.00	14.00	35.00	14.38
Benefit		0.00	2.39	9.42	2.73
Cement Mason/Finisher	144				
Wage		7.00	14.00	23.55	14.00
Benefit		0.00	0.37	9.29	1.79
Communication Equip Installer	38				
Wage		10.00	18.31	27.00	17.45
Benefit		0.00	2.08	18.08	5.05
Communication Trans. Erector	25				
Wage		9.00	15.00	19.23	14.83
Benefit		0.00	1.59	13.60	2.92

Appendix 6, continued

Hourly Wage and Benefit Rates by Standard Industrial Classification (SIC) and by Trade, Maine, 2003

	Number of Workers	Hourly Rates			
		Low	Median	High	Average
Special Trades Contractors (SIC 17), continued					
Concrete Pump Operator	16				
Wage		\$14.00	\$17.25	\$27.50	\$17.80
Benefit		1.61	1.61	5.66	2.46
Crusher Plant Operator	23				
Wage		10.00	12.00	19.70	13.38
Benefit		0.00	1.16	4.24	1.75
Driller – Well	15				
Wage		9.00	12.75	20.07	12.79
Benefit		0.00	2.17	10.55	3.20
Drywall Applicator	145				
Wage		10.00	17.50	26.00	17.44
Benefit		0.00	0.00	3.13	0.55
Drywall Taper & Finisher	77				
Wage		8.00	17.25	25.00	16.63
Benefit		0.00	0.32	3.08	0.85
Electrician (Licensed)	812				
Wage		8.00	19.00	45.67	19.55
Benefit		0.00	6.21	13.64	6.08
Electrician Helper (Licensed)	366				
Wage		6.50	13.00	38.80	13.73
Benefit		0.00	2.40	10.07	2.80
Elevator Constructor	41				
Wage		13.80	27.45	30.90	25.68
Benefit		0.00	10.06	13.76	10.85
Excavator Operator	307				
Wage		6.40	13.65	36.30	14.30
Benefit		0.00	1.36	9.93	2.00
Floor Layer	45				
Wage		9.00	12.00	21.00	12.44
Benefit		0.00	0.40	6.13	1.17
Glazier	34				
Wage		9.00	13.25	21.06	14.35
Benefit		0.50	2.50	9.06	3.02
Grader/Scraper Operator	12				
Wage		9.25	12.25	22.65	12.76
Benefit		0.00	0.36	6.21	1.13

Appendix 6, continued

Hourly Wage and Benefit Rates by Standard Industrial Classification (SIC) and by Trade, Maine, 2003

	Number of Workers	Hourly Rates			
		Low	Median	High	Average
Special Trades Contractors (SIC 17), continued					
Highway Worker/Guardrail Inst	14				
Wage		\$11.50	\$12.63	\$26.08	\$14.59
Benefit		0.00	3.09	3.78	2.48
Insulation Installer	133				
Wage		7.00	12.50	19.50	12.98
Benefit		0.00	1.51	11.80	2.56
Ironworker - Reinforcing	33				
Wage		11.00	18.00	30.32	19.28
Benefit		0.00	7.44	15.30	5.54
Ironworker - Structural	34				
Wage		8.00	17.88	26.00	17.99
Benefit		0.00	2.42	15.14	3.98
Laborer/Helper/Tender	953				
Wage		6.25	10.00	31.50	10.89
Benefit		0.00	0.16	9.25	0.95
Laborer - Skilled	707				
Wage		6.25	12.00	29.64	13.18
Benefit		0.00	1.03	13.08	2.30
Loader Operator - Front-End	146				
Wage		7.50	12.56	20.17	12.89
Benefit		0.00	1.17	9.93	1.66
Mechanic - Maintenance	142				
Wage		8.00	15.50	25.33	15.10
Benefit		0.00	2.18	11.19	2.25
Mechanic - Refrigeration	67				
Wage		10.50	18.00	30.50	18.44
Benefit		0.88	3.15	10.31	3.59
Millwright	75				
Wage		10.00	19.75	31.33	19.23
Benefit		1.73	8.50	15.94	7.41
Oil/Fuel Burner Srvcr & Installer	86				
Wage		9.00	14.68	23.00	15.31
Benefit		0.00	2.69	8.18	2.69
Painter	373				
Wage		8.00	11.00	23.32	11.85
Benefit		0.00	0.19	5.38	0.82

Appendix 6, continued

Hourly Wage and Benefit Rates by Standard Industrial Classification (SIC) and by Trade, Maine, 2003

	Number of Workers	Hourly Rates			
		Low	Median	High	Average
Special Trades Contractors (SIC 17), continued					
Paperhanger	24				
Wage		\$10.80	\$13.00	\$15.00	\$12.69
Benefit		0.00	0.00	2.24	0.18
Paver - Bituminous	21				
Wage		8.50	13.40	23.00	13.65
Benefit		0.00	0.00	6.46	0.51
Pipe/Steam/Sprinkler Fitter	287				
Wage		10.00	18.50	28.00	18.32
Benefit		0.00	4.90	12.01	5.77
Pipelayer	22				
Wage		9.50	11.32	17.00	11.84
Benefit		0.00	0.59	2.65	1.01
Plumber (Licensed)	418				
Wage		7.00	17.00	30.00	16.98
Benefit		0.00	2.70	10.32	2.97
Plumber Trainee	218				
Wage		8.00	13.00	24.04	13.34
Benefit		0.00	2.31	10.65	2.15
Roller Operator - Pavement	25				
Wage		9.00	12.00	16.00	12.26
Benefit		0.00	0.00	2.11	0.28
Roofer	220				
Wage		8.00	12.51	23.00	12.81
Benefit		0.00	1.48	6.21	1.56
Sheet Metal Worker	349				
Wage		7.75	14.00	24.75	14.13
Benefit		0.00	2.20	12.23	2.80
Sider	25				
Wage		8.00	12.00	19.00	13.26
Benefit		0.00	2.75	6.59	1.95
Stone Mason	23				
Wage		10.00	15.00	25.00	15.50
Benefit		0.24	1.99	5.73	1.98
Swimming Pool Installer	10				
Wage		15.75	18.45	27.25	20.24
Benefit		4.39	4.92	8.21	5.46

Appendix 6, continued

Hourly Wage and Benefit Rates by Standard Industrial Classification (SIC) and by Trade, Maine, 2003

		Number of	Hourly Rates			
		Workers	Low	Median	High	Average
Special Trades Contractors (SIC 17), continued						
Tile Setter		13				
	Wage		\$14.00	\$19.00	\$21.00	\$18.56
	Benefit		0.00	5.93	8.89	5.63
Truck Driver - Light		19				
	Wage		9.00	10.00	15.00	10.65
	Benefit		0.00	0.00	3.02	0.46
Truck Driver - Medium		67				
	Wage		8.00	10.50	15.50	10.84
	Benefit		0.00	0.15	4.59	0.64
Truck Driver - Heavy		479				
	Wage		7.50	11.00	18.00	11.09
	Benefit		0.00	0.42	9.71	1.18
Truck Driver - Mixer (Cement)		43				
	Wage		9.00	9.00	14.00	10.35
	Benefit		0.00	0.17	4.44	0.94
Truck Driver - Tractor Trailer		57				
	Wage		8.00	12.00	20.63	12.10
	Benefit		0.00	0.70	7.57	1.42

Appendix 7

Title 26 M.R.S.A. §§ 1301 –1315 Chapter 15 Preference to Maine Works and Contractors

Title 26 M.R.S.A. §§ 1301 –1315

CHAPTER 15

PREFERENCE TO MAINE WORKS AND CONTRACTORS

(HEADING: RR 1995, c. 2, §64 (cor))

This is the section of the law that governs the data collection for the Prevailing Wage Rate Program and the setting of wages.

The Prevailing Wage Rate Law can be found on the internet at:

<http://janus.state.me.us/legis/statutes/26/title26ch15sec0.html>

or at: <http://www.Maine.gov/labor/bls/wagehour.htm> (click on 'prevailing wage on state construction projects')

Appendix 8

Amendments to Prevailing Wage Law

STATE OF MAINE

—
**IN THE YEAR OF OUR LORD
TWO THOUSAND AND THREE**
—

H.P. 281 - L.D. 361

**An Act to Amend the Laws Governing Wage and Benefit Records
Of Persons Working on Public Works Projects**

Be it enacted by the People of the State of Maine as follows:

Sec.1. 26 MRSA §1311, as amended by PL 1997, c. 757, §9, is further amended to read:

§1311. Wage and benefit record of contractor

The contractor and each subcontractor in charge of the construction of a public work shall keep an accurate record showing the names and occupation of ~~each and~~ all laborers, workers and mechanics employed by them ~~and all independent contractors working under contract with them~~ in connection with the construction on the public works ~~showing~~. The record must also show for all laborers, workers, mechanics and independent contractors the hours worked, the title of the job, the hourly rate or other method of remuneration and the actual wages or other compensation paid to each of the laborers, workers and, mechanics and independent contractors. A copy of such a record must be kept at the job site and must be open at all reasonable hours to the inspection of the Bureau of Labor Standards and the public authority that let the contract, and its officers and agents. It is not necessary to preserve those records for a period longer than 3 years after the termination of the contract. A copy of each such record must also be filed monthly with the public authority that let the contract. The filed record is a public record pursuant to Title 1, chapter 13, except that the public authority letting a contract shall adopt rules to protect the privacy of personal information contained in the records filed with the public authority under this section, such as Social Security numbers and taxpayer identification numbers. The rules may not prevent the disclosure of information regarding the classification of workers or independent contractors and the remuneration they receive. Such rules are routine technical rules as defined by Title 5, chapter 3785, subchapter 2-A.

EFFECTIVE DATE:

September 12, 2003

Appendix 8, continued

Amendments to Prevailing Wage Law

STATE OF MAINE

—
**IN THE YEAR OF OUR LORD
TWO THOUSAND AND THREE**
—

H.P. 1125 - L.D. 1532

**An Act to Raise the Threshold under the Fair Minimum Wage
Rate on Construction Projects Law**

Be it enacted by the People of the State of Maine as follows:

Sec.1. 26 MRSA §1304, sub-§8, as enacted by PL 1967, c. 403, is amended to read:

8. Public works. "Public works" includes all buildings, roads, highways, bridges, streets, alleys, sewers, ditches, sewage disposal plants, demolition, waterworks, airports and all other structures upon which construction may be let to contract by the State of Maine and which contract amounts to \$50,000 or more.

EFFECTIVE DATE:

September 12, 2003

Appendix 9

Rules Governing the Establishment and Use of Fair Minimum Wage Rates on State Construction Projects

12 DEPARTMENT OF LABOR

170 BUREAU OF LABOR STANDARDS

Chapter 13: RULES GOVERNING THE ESTABLISHMENT AND USE OF FAIR MINIMUM WAGE RATES ON STATE CONSTRUCTION PROJECTS

Summary: The purpose of this Chapter is to establish definitions and procedures to ensure the consistent and fair administration of the Minimum Wage Rates on State Construction Projects Law as presented in Title 26 M.R.S.A. §§ 1304 - 1315.

Section 1: Definitions

For purposes of the law and these rules, the following words have these meanings:

- A) "Appropriate circumstances", in relation to determination of a statewide market for a trade, means conditions of the labor market for the trade are such that a local or area rate cannot be determined using the procedure in Section IV(A)-(B).
- B) "Benefits" means payments, other than wages, made to a worker or to a defined contribution plan or other third party on behalf of the worker. Benefits include, but are not limited to, health and welfare contributions, pension, individual retirement account or other retirement contributions, vacation and other accumulated leave, *per diem* in lieu of wages, and registered apprenticeship training and education. Benefits do not include any payments required by law or provision of goods or services primarily for the benefit or convenience of the employer, such as general training or use of a company vehicle for work-related use.
- C) "Board" means the Minimum Wage Rate on Construction Projects Board as established in Title 26 M.R.S.A. § 1307-A and constituted in this chapter.
- D) "Bureau" means the Bureau of Labor Standards within the Department of Labor.
- E) "Contractor" means an owner, executive, or manager of a company performing work in the construction industry.
- F) "Days", as used in conjunction with the appellate process, means business days as scheduled by the Bureau.
- G) "Director" means the Director of the Bureau of Labor Standards.

Appendix 9, continued

Rules Governing the Establishment and Use of Fair Minimum Wage Rates on State Construction Projects

- H) "Filing date" means the day on which the official wage determination is sent to the requesting public agency or its representative by mail, facsimile, or other electronic transmission.
- I) "Like construction" means the categories of construction as enumerated in Section III. In establishing these categories the Bureau will use the Standard Industrial Classification (SIC) system adopted by the U. S. Office of Management and Budget in 1987. The Bureau may combine classifications at different levels based on Davis-Bacon usage, advice of the Board, and accepted opinions of other experts in the field.
- J) "*Per diem* in lieu of wages" means payments to a worker to cover personal expenses, that include, but are not limited to, meals, travel, and lodging, where the employer does not require a receipt or other documentation of actual expenses incurred by the worker.
- K) "Registered Apprentice" means a person who is employed in a craft recognized as an apprenticeable trade and is registered by the Bureau of Apprenticeship and Training of the U.S. Department of Labor as employed in accordance with the standards established by that Bureau, or is registered by the Bureau of Employment Services of the Maine Department of Labor and is employed in accordance with its standards. Registered Apprentice does not include the holder of an apprentice license as issued by the Maine Department of Professional and Financial Regulation.
- L) The term "2nd and 3rd week of September" means the 14 calendar-day period beginning the Sunday after Labor Day.
- M) "Temporary or emergency repairs" means construction activities that must be undertaken immediately upon discovery of the problem or the occurrence of the incident that caused the damage so as to prevent further damage or because the damage poses a threat to health and safety.
- N) "Trade" means a construction work activity engaged in by an individual worker. In establishing trade definitions, the Bureau will be guided by the Dictionary of Occupational Titles as published by the U. S. Department of Labor, Employment and Training Administration, revised in 1991. The Bureau may also be guided by Davis-Bacon usage, advice of the Board, and accepted opinions of other experts in the field.
- O) "Wages" means payment(s) to the worker for work performed and includes bonuses and other payments based on work performance in accordance with Bureau and U. S. Department of Labor interpretations.
- P) "Worker" means a person engaged in a construction trade that is eligible for coverage under a wage determination. It includes a work leader with some supervisory responsibility but whose primary responsibility is trades work.

Appendix 9, continued

Rules Governing the Establishment and Use of Fair Minimum Wage Rates on State Construction Projects

Section II: Board of Minimum Wage Rates on Construction Projects

- A) The Board will consist of eight members to be appointed by the Director as follows:
 - 1) A worker, not covered by a collective bargaining agreement, engaged in a building construction trade;
 - 2) A worker, covered by a collective bargaining agreement, engaged in a building construction trade or the representative of a union covering a building construction trade;
 - 3) A worker, not covered by a collective bargaining agreement, engaged in a highway or heavy and bridge construction trade;
 - 4) A worker, covered by a collective bargaining agreement, engaged in a highway or heavy and bridge construction trade or the representative of a union covering a highway or heavy and bridge construction trade;
 - 5) A building contractor that is not a signatory to a collective bargaining agreement;
 - 6) A building contractor that is a signatory to a collective bargaining agreement;
 - 7) A highway or heavy and bridge contractor that is not a signatory to a collective bargaining agreement; and
 - 8) A highway or heavy and bridge contractor that is a signatory to a collective bargaining agreement.
- B) The Director serves as chair of the Board. The Director may designate a person from the Bureau staff to preside as chair in the Director's absence.
- C) The Director shall designate a person from the Bureau staff to serve as Secretary to the Board.
- D) The Director shall call a minimum of two meetings a year. The Director may call additional meetings as he or she deems necessary. The Director or his or her designee will set the agenda for each meeting.
- E) The Board will provide advice through discussion and consensus.

Appendix 9, continued

Rules Governing the Establishment and Use of Fair Minimum Wage Rates on State Construction Projects

Section III: Construction Industry Classification

- A) Classification for purposes of survey response and wage determination must be done at the project level.
- B) There will be three industry classifications: Building Construction, Highway Construction and Earthwork, and Heavy and Bridge Construction. Building Construction will be subdivided into two subcategories as described below.
- C) Building Construction will include those construction activities listed in SIC 15 Building Construction - General Contractors and Operative Builders;
 - 1) The Building I subcategory will include the construction of single and two-family homes.
 - 2) The Building II subcategory will include the construction of all other buildings and structures in SIC 15 not otherwise classified in (1) above.
- D) Highway Construction and Earthwork will include those construction activities listed in SIC 161 and those activities from SIC 162 listed below:

athletic fields bridle paths brush clearing and cutting clearing of land cutting right of way drainage earthmoving, not in conjunction with other construction golf courses land leveling	land reclamation manholes pond construction soil compacting tennis court construction trail building trailer parks/campgrounds trenching, not in conjunction with other construction
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- E) Heavy and Bridge Construction will include those construction activities in SIC 162, except those listed in (D) above.
- F) Construction activities listed in SIC 17 Construction - Special Trades Contractors will be classified based on the classification of the project on which the work is being performed (e. g. workers employed by an electrical contractor, SIC 173, working on a building project would be classified in Building. If working on a sewerage treatment plant project these same workers would be classified in Heavy and Bridge).
- G) If, during the two-week period, a worker is employed on two or more projects that could be classified in different industries, the worker must be reported in the industry in which the

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worker worked the greatest number of hours. If this cannot be determined, the worker will be reported as working in the primary industry of the company.

Section IV: Determining Locality

- A) The locality for purposes of a wage determination will be the county where the construction will be performed and all immediately adjacent counties, provided that at least two-thirds of the wage rates can be based on data from this area.
 - 1) To establish a prevailing wage rate for a trade there must be 10 or more workers in that trade.
- B) If the above does not result in at least two-thirds of the wage rates being based on data from this area, counties adjacent to this area will be added, starting with the county with the greatest construction industry employment, until the two-thirds standard is met.
- C) Trades for which a determination cannot be made using the above method are presumed to have a statewide market and will have a determination made based on data from all employers in that industry.
- D) If, during the two week period, a worker is employed on two or more projects in the industry selected in accordance with Section III, the worker must be reported at the site on which the worker worked the greatest number of hours. If this cannot be determined, the worker will be reported as if working at the company location where he or she regularly reports.

Section V: Wage Calculation and Reporting

- A) An employer shall report on the survey an hourly wage on all workers that worked during the two-week period. An individual worker should only be reported once at the site determined according to Section IV(D).
- B) Bonuses and other wage payments not based on an hourly rate must be converted to an hourly rate and added into the regular hourly rate. The amount of the bonus or other wage payment must be divided by the hours the worker worked during the period covered by the bonus or other wage payment (e.g., an annual bonus must be divided by the total hours worked during the year by the worker receiving the bonus).
- C) If, during the two week period, a worker receives pay at two or more rates on the project in the industry selected in accordance with Section III, the rate at which the worker worked the most time must be reported. If this cannot be determined, the highest rate the worker was paid for work on the selected project must be reported.

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Section VI: Benefit Calculation and Reporting

- A) An employer shall report on the survey an hourly benefit rate on all workers that worked during the two-week period and received a benefit. An individual worker should only be reported once at the site determined in accordance with Section IV(D) and at the benefit rate associated with the pay rate selected in accordance with Section V.
- B) Benefits not paid or valued on an hourly rate must be converted to and reported as an hourly rate. The conversion will be accomplished using the following formula:

$$(C/H) \times F = \text{Hourly Benefit Rate, where}$$

C equals the cost or value of the benefit for some period
H equals the yearly hours worked by the worker
F is the time period adjustment factor;

 - If C is the annual cost, F equals 1,
 - If C is the quarterly cost, F equals 4,
 - If C is the monthly cost, F equals 12,
 - If C is the biweekly cost, F equals 26,
 - If C is the weekly cost, F equals 52.
- C) If, during the two week period, a worker receives benefits at two or more rates at the benefit rate associated with the pay rate selected in accordance with Section V, the rate at which the worker worked the most time must be reported. If this cannot be determined, the highest rate the worker was paid for work during the period must be reported.

Section VII: Wage and Benefit Relationship

- A) The median rate for wages and for benefits will be determined separately.
- B) A contractor shall pay each worker on a covered project at least the prevailing hourly wage rate, as determined by the Bureau for that project, for the trade(s) within the construction industry category or categories in which the worker is employed.
- C) A contractor shall provide benefits to each worker on a covered project at least at the prevailing hourly benefit rate as determined by the Bureau for that project for the trade(s) within the construction industry category or categories in which the worker is employed.
- D) A contractor may comply with the requirement in (C) if the contractor is in compliance with (B) and the total of the hourly wages and benefits paid by the contractor is equal to or exceeds the total of the prevailing hourly wage and benefit rates as determined by the Bureau for that project for the trade(s) in which the worker is employed.

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- E) Records of employee benefits paid shall be recorded on a per hour basis as presented in Section VI.

Section VIII: Issuance of Determinations

- A) Requests for determinations must be filed on forms provided by the Bureau.
- B) If a wage determination request involves construction from more than one category of construction, the Bureau must issue separate determinations for each category where the estimated cost of that part of the construction exceeds \$50,000.
- C) A public agency or its representative must include a statement in any bid notice that the project is covered by a wage determination. The bid package must contain the wage determination(s) for the project. The contract with the winning bidder must include the wage determination(s) and a provision that the contractor will provide the wage determination(s) to all subcontractors.
- D) A copy of the determination(s) for a project must be kept posted at the work site by the contractor and by all subcontractors at a prominent location, easily accessible by their workers.
 - 1) On a project where there is no such location (e. g., a rural road resurfacing project) a contractor or subcontractor may comply with this requirement by providing each worker with a copy of the wage determination within the first full day that the worker works on that project. The contractor or subcontractor must be able to document that each worker has received a copy of the wage determination.

Section IX: Enforcement

- A) Enforcement of these rules and the laws upon which the rules are based will be the responsibility of the Bureau of Labor Standards, under the direction of the Director.
- B) Each contractor and subcontractor shall have payroll records available to a Bureau representative on each site covered by a wage determination. The records must be current to within three days of the latest pay period that was paid by the contractor or subcontractor. These records must be retained, preserved, and open to inspection by the Bureau for at least three years following the completion of the project. 1) A contractor or subcontractor may comply with this provision by keeping the records for a site at a location within 10 miles of the site.
- C) The records must, at a minimum, contain the name, trade or job title, hourly wage rate, benefit rate(s), total wages paid, and total benefit(s). paid for each of that employer's workers that worked on the site, for each payroll period.

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- D) The trade listed on these records is not binding on the Bureau. The trade for which a worker should be paid may be determined through interviews with the affected worker(s), any co-workers, or any supervisors who are working or have worked on the site.
- E) Each day a worker is not paid in accordance with the law and these rules, is a separate violation.

Section X: Effect of Rules

These rules will be effective five days after filing with the Secretary of State, except that they will not control in any way any survey conducted prior to the filing of these rules, the use of any data from such surveys, nor any prevailing wage and benefit determinations based on such surveys.

STATUTORY AUTHORITY: Title 26 M.R.S.A. §§ 42 and 1304-1315.

EFFECTIVE DATE:
October 7, 2001

